

ORIGINAL
FILE

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

RECEIVED

OCT 19 1992

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Modifying Renewal Dates for
Certain Stations Licensed
Under Part 74 of the
Commission's Rules, and

Revising FCC Form 303-S, Application
for Renewal of License for Commercial
and Noncommercial AM, FM, or TV
Broadcast Station

MM Docket No. 92-168

To: The Commission
Attention: Mail Stop 1170

REPLY COMMENTS OF THE COMMUNITY BROADCASTERS ASSOCIATION

1. These Reply Comments are filed by the Community Broadcasters Association ("CBA") in the above-captioned proceeding. CBA is the trade association of the nation's low power television (LPTV) stations. CBA filed initial comments on September 28, 1992, opposing the proposal to conform LPTV license renewal dates to full power dates, because the burden on LPTV operators from having to file extra renewal applications and deal with short-term licenses would exceed the small benefit that might accrue from allowing full power station licensees to file full power, low power, and translator renewal applications at the same time.

2. After reviewing the initial comments filed by others, CBA adheres to its position opposing the proposals. It should be noted that all the comments in favor were filed by licensees of translators, not LPTV stations; and the National Association of

No. of Copies rec'd
List A B C D E

0 + 9

Broadcasters (NAB) and National Public Radio (NPR) were speaking for translator licensees.^{1/} The only commenter exclusively in the LPTV business, Island Broadcasting Co. ("Island"), joined CBA in opposing the proposals.

3. Without denigrating the translator service for what it offers to the public, the stations that should be of the most concern in the license renewal process are LPTV stations, which originate programming, and not translators, which do not. Local programming is the bedrock of the Communications Act, but it is not provided by translators. Therefore, the comments of CBA and Island should be given the greater weight. Both CBA and Island emphatically oppose granting short-term renewals to LPTV stations. Their position should be adopted by the Commission.

4. CBA further urges the Commission to deal with substantive issues that are important to the LPTV service before it spends time and resources on administrative matters like license renewal dates. CBA's petition for rule making to improve certain aspects of the LPTV service, RM-7772, has been languishing at the Commission for over a year without any action. CBA urges the Commission to address that petition, and to help an industry that is trying to provide local service where little or

^{1/} The NAB has historically exhibited no inclination to assist the LPTV industry in any endeavor. Their remark in their comments in this proceeding about the Commission providing "enhanced oversight" of LPTV stations is a typical example, especially when their comments show that their real concern relates to FM translators, not LPTV stations.

none exists, before it mixes up the license renewal process and places a new burden on the industry.

Community Broadcasters Assn.
P. O. Box 191229
Dallas, TX 75219
Tel. (214) 720-3814

Respectfully submitted,



Peter Tannenwald

Arent, Fox, Kintner,
Plotkin & Kahn
1050 Connecticut Ave., N.W.
Washington, DC 20036-5339
(202) 857-6024

October 19, 1992

Counsel for the Community
Broadcasters Association

CERTIFICATE OF SERVICE

I, Lucy S. Colebaugh, do hereby certify that on this 19th day of October, 1992, I have caused to be sent by first class United States mail, postage prepaid, copies of the foregoing "Reply Comments of the Community Broadcasters Association" to the following:

Howard J. Braun, Esquire
Rosenman & Colin
1300 - 19th St., N.W.
Washington, DC 20036
Counsel for Island Broadcasting Co.

Erwin G. Krasnow, Esquire
Verner, Liipfert, Bernhard, McPherson & Hand
901 - 15th St., N.W.
Washington, DC 20005
Counsel for Pulitzer Broadcasting Company

Barry D. Umansky, Esquire
Deputy General Counsel
National Association of Broadcasters
1771 N St., N.W.
Washington, DC 20036

Charles R. Naftalin, Esquire
Koteen & Naftalin
1150 Connecticut Ave., N.W.
Washington, DC 20036
Counsel for Great American Television and Radio Co., Inc.

Karen Christensen, Esquire
Assistant General Counsel
National Public Radio
2025 M St., N.W.
Washington, DC 20036

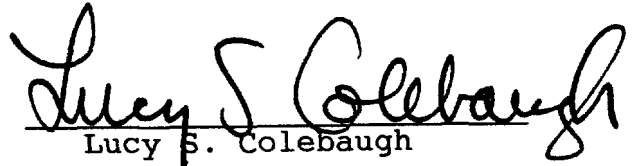
Dennis F. Begley, Esquire
Reddy, Begley & Martin
1001 - 22nd St., N.W., Suite 350
Washington, DC 20037
Counsel for The Post Company

Malcolm G. Stevenson, Esquire
Schwartz, Woods & Miller
1350 Connecticut Ave., N.W., Suite 300
Washington, DC 20036
Counsel for Mississippi ETV Authority et al.

Todd M. Stansbury, Esquire
Wiley, Rein & Fielding
1776 K St., N.W.
Washington, DC 20006
Counsel for Central Virginia
Educational Telecommunications Corporation
and Minnesota Public Radio

Ms. Eugenia R. Hull (by hand delivery)
Policy and Rules Division
2025 M St., N.W., Room 8002
Federal Communications Commission
Washington, DC 20554

Keith Larson, Chief (by hand delivery)
Low Power TV Branch
Room 702, 1919 M St., N.W.
Federal Communication Commission
Washington, DC 20554


Lucy S. Colebaugh